

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CLERK'S OFFICE

Clarence Maddox  
Court Administrator • Clerk of Court

2004 JUL 21 P 1:01  
301 North Miami Avenue  
Miami, Florida 33128-7788  
(305) 523-5100

U.S. DISTRICT COURT  
DISTRICT OF MASS.

CLARENCE MADDOX  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - WPB

04 JUL 13 PM 4:43

FILED BY                      D.C.

**TRANSMITTAL LETTER**

**TO:** UNITED STATES DISTRICT COURT  
ONE COURTHOUSE WAY  
BOSTON, MASSACHUSETTS 02210

**RE:** USA v ARCHIBALD MACLEOD  
Our Case No. 04-5154-LRJ

**DATE:** JULY 13, 2004

=====

The above-mentioned cause has been transferred to your jurisdiction pursuant to Rule 40

Please find enclosed the following documents:

\_\_\_\_\_ Original file

\_\_\_\_\_ Certified File (pertinent papers only)

XX \_\_\_\_\_ Magistrate Proceedings -Original Pleadings

\_\_\_\_\_ CASH Bond Amount \$ \_\_\_\_\_  
(Note: Cash is not included in this transmittal and will be forwarded at a later date from the Financial Section)

Kindly acknowledge receipt of these documents by RECEIVE STAMPING the enclosed copy of this letter and sending it to:

UNITED STATES DISTRICT COURT  
CLERK OF COURT  
701 CLEMATIS STREET  
WEST PALM BEACH, FLORIDA 33401

Yours sincerely

By Emil Guerrero  
Deputy Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-5154-LRS

UNITED STATES OF AMERICA,

v.

Archibald MacLeod

FILED  
2004 JUL 21 P 1:01

U.S. DISTRICT COURT  
DISTRICT OF MASS.

FILED BY	S	D.C.
MAG. SEC.		
Jul 12, 2004		
CLARENCE STAFFORD CLERK U.S. DIST. CT. S.D. OF FLA. - W.P.B.		

WARRANT OF REMOVAL

A(n) XX Complaint

       Indictment

       Supervised Release Warrant

having been filed in the        District of Massachusetts  
charging the above named defendant with 21:846, 841(a)(1) and the  
defendant having

       surrendered

XX been arrested

in the Southern District of Florida, having had an initial  
appearance before the Court and having:

XX waived further hearing

       been given a hearing in  
accordance with Fed.R.Crim.P. 40.

having not posted the bail as set by the Court, the  
defendant is hereby committed to the custody of the United  
States Marshal for removal to the District where the charge  
is pending and delivery to the United States Marshal for  
that District or his lawfully authorized representative.

DONE AND ORDERED at West Palm Beach, Florida this 12<sup>th</sup> day  
of July, 2004.

TAPE NO. LRI-04-42-399

Linnea R. Johnson  
UNITED STATES MAGISTRATE JUDGE  
LINNEA R. JOHNSON

\$  
Eg

# United States District Court

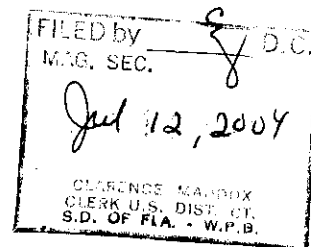
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-5154-LRJ

UNITED STATES OF AMERICA,

VS.

Archiball Macleod Jr.



## WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

I, Archiball Macleod Jr., understand that in the \_\_\_\_\_  
District of Massachusetts, charges are pending  
alleging violation of 21: 846 + 841(a)(1) and that I have been arrested in this  
District and taken before a United States Magistrate Judge who informed me of the charge and of my  
right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request  
transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty,  
(3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary  
examination (unless and indictment has been returned or an information filed) to determine whether there  
is probable cause to believe an offense has been committed by me, the hearing to be held either in this  
district or the district of prosecution.

☒ I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ☒ identity hearing  
☐ preliminary examination  
☐ identity hearing and have been informed I have no right to a preliminary examination  
☐ Identity hearing but request a preliminary examination be held in the prosecuting district  
and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district  
where the charge is pending against me.

7/12/04  
Date

[Signature]  
Defendant  
[Signature]  
Defense Counsel

4/9

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

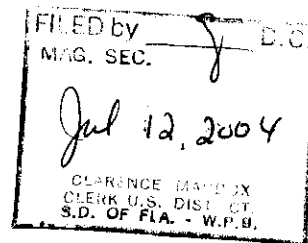
CASE NO. 04-5154-LRJ

UNITED STATES OF AMERICA

Plaintiff,

v.

ARCHIBALD F. MACLEOD, JR.  
Defendant.



**ORDER ON INITIAL APPEARANCE**

AUSA Emalyn Webber  
Agent Ganesh - USMS

Language ENGLISH  
Tape No. LRJ-04- 42-399

The above-named defendant having been arrested on 7/12/04 having appeared before the court for initial appearance on July 12, 2004 and proceedings having been held in accordance with **F.R.C.P. 5 or 40(a)**, it is thereupon

**ORDERED** as follows:

1. \_\_\_\_\_ appeared as permanent/temporary counsel of record.  
Address: \_\_\_\_\_  
Zip Code: \_\_\_\_\_ Telephone: \_\_\_\_\_
2. Federal Public Defender appointed as permanent counsel of record.  
Address: 400 Constitution Ave North W.P.B. Fl  
Zip Code: 33401 Telephone: 561-833-6288
3. The defendant shall attempt to retain counsel and shall appear before the court at 10:00 A.M. on Removal, 2004.
4. ~~PRELIMINARY ARRAIGNMENT~~ is set for N/A, 2004.
5. The defendant is held in temporary pretrial detention pursuant to 18 U.S.C. Section 3142 (d) or (f) because of 1st & 2nd Request \*.  
A detention hearing, pursuant to 18 U.S.C. Section 3142(f), is set for \_\_\_\_\_, 2004.
6. The defendant shall be release from custody upon the posting of the following type of appearance bond, pursuant to 18 U.S.C. Section 3142:  
\* PTD not held. Dept has right to visit PTD issue in Massach. etc.

This bond shall contain the standard conditions of bond printed in the bond form of this Court and, in addition, the defendant must comply with the special conditions checked below:

- \_\_\_ a. Surrender all passports and travel document to the Pretrial Services Office.
- \_\_\_ b. Report to Pretrial Services as follows: \_\_\_ times a week by phone, \_\_\_ time a week in person;  
other: \_\_\_\_\_
- \_\_\_ c. Submit to random urine testing by Pretrial Services for the use of non-physician-prescribed substances prohibited by law.

3  
af

- \_\_\_d. Maintain or actively seek full time gainful employment.
- \_\_\_e. Maintain or begin an educational program.
- \_\_\_f. Avoid all contact with victims of or witnesses to the crimes charged.
- \_\_\_g. Refrain from possessing a firearm, destructive device or other dangerous weapon.
- \_\_\_h. Comply with the following curfew: \_\_\_\_\_
- \_\_\_i. Avoid all commercial transportation facilities; no airports, no marinas, no bus terminals.
- \_\_\_j. Comply with the following additional special conditions of this bond:  
\_\_\_\_\_  
\_\_\_\_\_

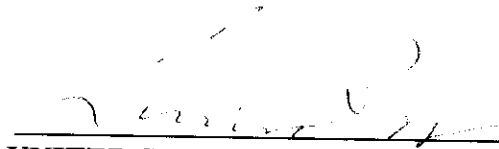
This bond was set: At Arrest \_\_\_\_\_  
On Warrant \_\_\_\_\_  
After Hearing \_\_\_\_\_

If bond is changed from that set in another District, the reason pursuant to Rule 40(f) is \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_ If this space is checked, an evidentiary hearing pursuant to United States v. Nebbia, 357, F.2d 303 (2 Cir. 1966) shall be held prior to the posting of the bond. Such hearing shall be scheduled promptly upon notification to the court that the defendant is ready to post bond.

- 7. The defendant has been advised by the court that if he or she is released on bond pursuant to the conditions set forth herein or those later ordered by the court, the defendant is subject to arrest and revocation of release and to various civil and criminal sanctions for any violation of those conditions. These various sanctions and penalties are set forth more fully in the Appearance Bond itself.
- 8. The defendant is committed to the custody of the United States Marshal until an appearance bond has been executed in accordance with this or subsequent court order.

**DONE AND ORDERED** at West Palm Beach, Florida, this 12th day of July, 2004.

  
\_\_\_\_\_  
**UNITED STATES MAGISTRATE JUDGE**  
LINNEA R. JOHNSON

c: Assistant U.S. Attorney  
Defendant  
Counsel  
U.S. Marshal  
Pretrial Services/Probation

## COURT MINUTES

U.S. MAGISTRATE JUDGE LINNEA R. JOHNSON DATE: 7/12/04 TIME: 10:00 AM -/0:15DEFT. ARCHIBALD MACLEOD (J)CASE NO. 04-5154-LRJLANGUAGE: ENGLISH

PRISONER NO: \_\_\_\_\_

AUSA. EMALYN WEBBERATTY. Robert Adler AFPDAGENT. DEA

WARR/COMPLT/MASS/PWID OXYCODONE

VIOL. 21:841(a)(1)PROCEEDING INITIALBOND. PTD (GOVT REQUEST)

FUTURE DATES \_\_\_\_\_

DISPOSITION

Defendant advised of rights;Federal Public Defender appointedGovernment requested Pretrial DetentionPretrial Detention hearing not held.Pretrial Detention hearing to be held in Massachusetts.Defendant advised removal.Defendant ordered removed forthwith.FILED BY 2 D.C.  
04 JUL 12 PM 12:45  
CLARENCE HADDOX  
CLERK U.S. DISTRICT  
C.D. OF FLA. - WPBDATE: 7/12/04TAPE: LRJ-04- 42-3992/2

U.S. District Court  
Southern District of Florida (W.Palm Beach)

2004-12-17 P 4:18  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CLOSED

CRIMINAL DOCKET FOR CASE #: 04-M -5154-ALL

USA v. Macleod  
Dkt# in other court: None

Filed: 07/12/04

Case Assigned to: Magistrate Judge Linnea R. Johnson

ARCHIBALD F. MACLEOD, JR. (1)  
defendant  
[term 07/13/04]

Public Defender  
[term 07/13/04]  
FTS 833-0368  
[COR LD NTC pda]  
Federal Public Defender's  
Office  
400 Australian Avenue N  
Suite 300  
West Palm Beach, FL 33401-5634  
561-833-6288

Pending Counts:

NONE

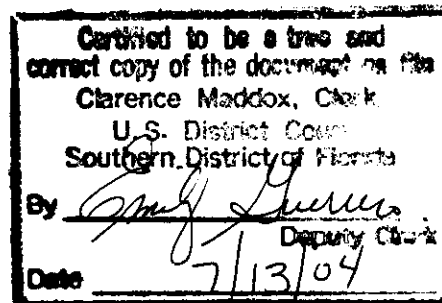
Terminated Counts:

NONE

Complaints

Disposition

WARRANT & COMPLAINT from  
District of Massachusetts  
(Case #04-1809-CBS)



Docket as of July 13, 2004 4:58 pm

Page 1

Proceedings include all events.  
9:04m 5154-ALL USA v. Macleod

CLOSED

ARCHIBALD F. MACLEOD, JR.

defendant

=====

USA

plaintiff

U. S. Attorneys:

NONE



Docket as of July 13, 2004 4:58 pm

Page 2

Proceedings include all events.

9:04m 5154-ALL USA v. Macleod

CLOSED

7/12/04 -- ARREST of Archibald F. Macleod Jr. (eg)  
[Entry date 07/13/04]

7/12/04 1 COPY OF WARRANT & COMPLAINT from District of Massachusetts  
(Case #04-1809-CBS) as to Archibald F. Macleod Jr. (eg)  
[Entry date 07/13/04]

7/12/04 2 Minutes of Initial held on 7/12/04 before Magistrate Judge  
Linnea R. Johnson as to Archibald F. Macleod Jr.; Court  
Reporter Name or Tape #: LRJ-04-42-399 (eg)  
[Entry date 07/13/04]

7/12/04 3 ORDER on Initial Appearance as to Archibald F. Macleod Jr.  
Bond set to Temp PTD; PTD not held - Defendant has right to  
visit PTD issue in Massachusetts., for Appointment of  
Public Defender, , ( Signed by Magistrate Judge  
Linnea R. Johnson on 7/12/04) Tape # LRJ-04-42-399 CCAP (eg)  
[Entry date 07/13/04]

7/12/04 4 WAIVER of Rule 40 Hearings by Archibald F. Macleod Jr. (eg)  
[Entry date 07/13/04]

7/12/04 5 WARRANT OF REMOVAL from Southern District of Florida to  
District of Massachusetts as to Archibald F. Macleod Jr. (  
Signed by Magistrate Judge Linnea R. Johnson on 7/12/04)  
[EOD Date: 7/13/04] Tape # LRJ-04-42-399 CCAPΔ (eg)  
[Entry date 07/13/04]

7/13/04 6 Transmittal Letter sent to District of Massachusetts in  
case as to Archibald F. Macleod Jr.. Documents Sent:  
7/13/04 (eg) [Entry date 07/13/04]